



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Violet Varona-Lukens, Executive Officer
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Chief Administrative Officer

At its meeting held October 8, 2003, the Board took the following action:

46-A

On motion of Supervisor Yaroslavsky, seconded by Supervisor Knabe, unanimously carried, the Board made a finding pursuant to Government Code Section 54954.2(b)(2), that there is a need to take immediate action and that the need for action came to the attention of the Board subsequent to the agenda being posted as specified in subdivision (a), to:

Consider determination of emergency pursuant to Government Code Section 3504.5 and immediate adoption of policy and/or practice changes pertaining to Sheriff's deputies engaging in illegal strike activity.

David E. Janssen, Chief Administrative Officer reported on the status of strike activity by the Sheriff and current status of negotiations with the Association for Los Angeles Deputy Sheriffs.

Supervisor Molina made the following statement:

"Despite the determination of the Superior Court on October 1, 2003, that the strike activity by Los Angeles County Deputy Sheriffs was illegal, and the Court's issuance of a restraining order prohibiting such strike activity, significant numbers of Sheriff's deputies have continued to engage in illegal strike activity, as set forth in the attached chronology of absences and strike activity report submitted by the Chief Administrative Officer. This continuing illegal strike activity has caused great harm to the public service, is impeding operation of the civil and criminal justice systems and constitutes an imminent threat to public safety.

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“Government Code Section 3504.5(b) of the Meyers-Milias-Brown Act (MMBA) which governs ‘meet and confer’ obligations with recognized public employee organizations, provides that ‘in cases of emergency when the governing body...determine[s] that an ordinance, rule, resolution or regulation must be adopted immediately without prior notice or meeting with a recognized employee organization, the governing body...shall provide notice and opportunity to meet at the earliest practicable time following the adoption of the ordinance, rule, resolution or regulation.’

“Because the Board of Supervisors has ultimate responsibility for negotiating Memoranda of Understanding regarding wages, hours, and terms and conditions of employment, the Sheriff’s Department is directed to make changes to any existing policies, rules, practices or regulations to provide for immediate employment consequences for any Deputy Sheriffs continuing to engage in illegal strike activity.”

Therefore, on motion of Supervisor Molina, seconded by Supervisor Yaroslavsky, unanimously carried, the Board declared that an emergency exists, pursuant to Government Code Section 3504.5, that requires the Sheriff to immediately implement the following policy and/or practice changes as set forth below:

1. The Sheriff shall have the right to temporarily reassign and/or modify schedules/shifts, etc., in order to meet Department staffing needs during the ongoing job-action;
2. The Sheriff may code as absent without pay any deputy engaging in illegal strike activity such as strike, work-stoppage or calling in sick where more than 20% of the deputies working in the unit where the employee works also engaged in the illegal activity. Such action shall be considered to be non-disciplinary and non-punitive;

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46-A (Continued)

3. When more than 20% of the deputies in any unit engage in illegal strike activity, such as strike, work-stoppage, work-slowdown or sick-out, the Sheriff may also impose discipline at such time as it deems its investigation complete. The Sheriff need not provide advance notice of intended discipline for suspensions of five days or less, or reprimands; the Sheriff only need provide notice of imposition of discipline; in addition, such discipline that is imposed shall be served prior to the exercise of any grievance rights.

In addition, the Board requested the Sheriff to make the aforementioned changes as early as practicable, to limit these changes to current job-action; and instructed the Chief Administrative Officer to provide notice to the recognized bargaining unit after implementation of the above referenced policy and/or practice changes, in order to meet and confer with the recognized bargaining unit as early as practicable.

5100803-46-A

Attachment

Copies distributed:
Each Supervisor
County Counsel

Letter sent to:
Sheriff

Summary of Sheriff's Department
Work Actions
(9-22-03 to 10-8-03)

Date	Bureau, Unit, Location		Work Action Activity
September 22, 2003	Court Services Transportation Unit	125 out of 225 deputies	<p>To overcome the work force shortage caused by the work action deputies were redeployed to cover impacted facilities. Overtime requests were granted.</p> <p>Out of the 1569 inmates scheduled to go to court, a little over 600 inmates were transported from County Jails to courts throughout the day. No wheel chair bound inmates were transported to court due to limited resources. The preliminary estimate of returning inmates is 900 males and 40 females for a total of 940 returnees.</p>
September 23, 2003	Court Services Transportation Unit	100 out of 225 deputies	Deputies were transferred to cover impacted areas.
September 25, 2003	Twin Towers Correctional Facility	36 out of 509	<p>Total of 231 out of 1,260 deputies called in sick.</p> <p>Deputies were redeployed to cover impacted work locations.</p>
	Inmate Reception Center	44 out of 249	
	Men's Central Jail	151 out of 502	

Summary of Sheriff's Department
Work Actions
(9-22-03 to 10-8-03)

Date	Bureau, Unit, Location		Work Action Activity
September 26, 2003	Twin Towers Correctional Facility	9 out of 509	Total of 102 out of 1, 260 scheduled deputies called in sick and did not report to work. Deputies were redeployed to cover impacted work locations.
	Inmate Reception Center	47 out of 249	
	Men's Central Jail	46 out of 502	
September 29, 2003	Twin Towers Correctional Facility	99 out of 509 deputies 15 out of 230 custody asst.	Total of 401 out of 2636 employees (348 deputies and 53 custody assistants) called in sick and did not report to work. 348 out of 1833 deputies <u>53 out of 803 custody assistants</u> 401 out of 2636 employees Deputies at Men's Central Jail were transported to Twin Towers and Inmate Reception Center. All other facilities were on Lock Down Status.
	Inmate Reception Center	23 out of 249 deputies 3 out of 134 custody asst.	
	Men's Central Jail	8 out of 502 deputies 1 out of 140 custody asst.	
	North County Correctional Facility	63 out of 257 deputies 14 out of 51 custody asst.	
	Mira Loma Detention Facility	19 out of 67 deputies 11 out of 120 custody asst.	
	East Facility	27 out of 100 deputies 1 out of 36 custody asst.	
	North Facility	43 out of 170 deputies 8 out of 63 custody asst.	

Summary of Sheriff's Department
Work Actions
(9-22-03 to 10-8-03)

Date	Bureau, Unit, Location		Work Action Activity
September 30, 2003	Central Bureau	155 out of 252 deputies	Total of 242 out of 950 deputies called in sick and did not report to work.
	East Bureau	34 out of 332 deputies	A total of 182 relief deputies were used. Twin Towers cancelled visiting and normal programming. Several courts were delayed. Men's Central Jail was in modified Lock Down while Twin Towers had been in full Lock Down.
	West Bureau	53 out of 366 deputies	

Summary of Sheriff's Department
Work Actions
(9-22-03 to 10-8-03)

Date	Bureau, Unit, Location		Work Action Activity
October 1, 2003	Central Bureau	175 out of 252 deputies	Total of 403 deputies called in sick and did not report to work at various facilities in Court Services.
	East Bureau	61 out of 332 deputies	The following court houses were closed:
	West Bureau	104 out of 366 deputies	Norwalk Central Jail Arraignment Court Civil Court West Hollywood San Pedro Opened at 1105 hours Chatsworth
	Transit Services Bureau	63 out of 261 deputies	The personnel and cases from the above listed courts have been redeployed to operating courts within the division. The Clara Shortridge Foltz (CCB) court house was delayed in opening to the public by one and one half hours. Transit Services Bureau is operating assigned personnel and has not requested staff from outside of the unit. Men' Central Jail and North Facility were on modified lockdown because of staff redeployment. All other custody facilities were operating normally.

Summary of Sheriff's Department
Work Actions
(9-22-03 to 10-8-03)

Date	Bureau, Unit, Location		Work Action Activity
October 3, 2003	Walnut Station	31 out of 101	Total of 77 out of 208 deputies called in sick and did not report to work.
	San Dimas Station	24 out of 83	
	Lancaster Court	12 out of 24	
October 4, 2003	Norwalk Station	32 out of 36 deputies	Total of 51 out of 73 scheduled deputies called in sick and did not report to work.
	Pico Rivera Station	15 out of 15 deputies	
	Lakewood Station	4 out of 22 deputies	
October 5, 2003	Norwalk Station	10 out of 12 deputies	Total of 16 out of 20 scheduled deputies called in sick and did not report to work.
	Pico Rivera Station	6 out of 8 deputies	

Summary of Sheriff's Department
Work Actions
(9-22-03 to 10-8-03)

Date	Bureau, Unit, Location		Work Action Activity
October 7, 2003	Lennox Station	43 out of 75 deputies	<p>The Sheriff's Department reported a total of 308 sick call ins at various patrol stations and courts in East Bureau. Several stations had 100% of their scheduled field force call-in sick. Personnel from all Field Operations Regions, Administrative Services, Technical Services, Leadership & Training divisions, supplemented the vacancies within the patrol regions. Court Services East Bureau was supplemented by personnel from within the division and jointly between Correctional Services and Custody Divisions. No courts were closed.</p> <p>Deputies were re-deployed from non-impacted patrol stations and courts to the impacted areas. Court Services is requesting 20 deputies from Custody to be redeployed to the impacted courts.</p>
	Century Station	58 out of 100 deputies	
	Carson Station	36 out of 61 deputies	
	Compton Station	28 out of 69 deputies	
	Industry Station	40 out of 52 deputies	
	East LA Station	40 out of 40 deputies	
	Marina Del Rey	4 out of 6 deputies	
	West Hollywood	8 out of 17 deputies	
	Pomona Court North	8 out of 13 deputies	
	Pomona Court South	20 out of 24 deputies	
	El Monte Court	7 out of 15 deputies	
	Citrus Court	16 out of 20 deputies	

Summary of Sheriff's Department
Work Actions
(9-22-03 to 10-8-03)

Date	Bureau, Unit, Location		Work Action Activity
October 8, 2003	East LA Station	27 out of 34	<p>Currently there are 169 reported call ins by deputies at various patrol stations.</p> <p>Personnel from all Field Operations Regions, Custody and Correctional Services Divisions supplemented the vacancies within the impacted patrol regions. The Department is redeploying personnel from Detective Division to supplement the vacancies at East Los Angeles, Lomita, Carson, Lennox and Century stations. Additional personnel are being deployed to staff Marina Del Rey and Compton stations. There are no work actions or interruptions reported within Custody/Correctional Services Divisions.</p> <p>The Department averted any court closures during the days work action activity</p>
	Lennox Station	30 out of 31	
	Century Station	28 out of 45	
	Carson Station	24 out of 29	
	Compton Station	20 out of 29	
	Marina Del Rey	9 out of 14	
	Lomita	5 out of 9	
	East Bureau	26 out of 332	

Work Action Activity Rpt. SD – Wk of 9-22 to 10-8

WORK ACTION ACTIVITY SUMMARY BY LOCATION COURTS

COURTS	Court Services Transportation Unit	Central Bureau	East Bureau	West Bureau	Transit Services Bureau	Lancaster Court	Pomona Court North	Pomona Court South	El Monte Court	Citrus Court
9/22/2003	125 / 225									
9/23/2003	100 / 225									
9/25/2003										
9/26/2003										
9/29/2003										
9/30/2003		155 / 252	34 / 332	53 / 366						
10/1/2003		175 / 252	61 / 332	104 / 366	63 / 261					
10/3/2003						12 / 24				
10/4/2003										
10/5/2003										
10/7/2003							8 /13	20 / 24	7 / 15	16 / 20
10/8/2003			26 / 332							

(Number called in sick) / (Number in Unit)

WORK ACTION ACTIVITY SUMMARY BY LOCATION PATROL STATIONS

PATROL	Walnut Station	San Dimas Station	Norwalk Station	Pico Rivera Station	Lakewood Station	Lennox Station	Century Station	Carson Station	Compton Station	Industry Station	East LA Station	Marina Del Rey	West Hollywood
9/22/2003													
9/23/2003													
9/25/2003													
9/26/2003													
9/29/2003													
9/30/2003													
10/1/2003													
10/3/2003	31 / 101	24 / 83											
10/4/2003			32 / 36	15 / 15	4 / 22								
10/5/2003			10 / 12	6 / 8									
10/7/2003						43 / 75	58 / 100	36 / 61	28 / 69	40 / 52	40 / 40	4 / 6	8 / 17
10/8/2003						30 / 31	28 / 45	24 / 29	20 / 29		27 / 34	9 / 14	5 / 9

(Number c: (Number called in sick) / (Number in Unit)

WORK ACTION ACTIVIY SUMMARY BY LOCATION CUSTODY FACILITIES

CUSTODY FACILITIES	Twin Towers Correctional Facility	Inmate Reception Center	Men's Central Jail	Mira Loma Detention Center	East Facility	North Facility
9/25/2003	36 / 509	44 / 249	151 / 502			
9/26/2003	9 / 509	47 / 249	46 / 502			
9/27/2003						
9/28/2003						
9/29/2003	99 / 509 deputies 15 / 230 custody asst.	23 / 249 deputies 3 / 134 custody asst.	8 / 502 deputies 1 / 140 custody asst.	19 / 67 deputies 11 / 120 custody asst.	27 / 100 deputies 1 / 36 custody asst.	43 / 170 deputies 8 / 63 custody asst.
9/30/2003						
10/1/2003						
10/3/2003						
10/4/2003						
10/5/2003						
10/7/2003						
10/8/2003						

(Number called in sick) / (Number in Unit)